

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Masakuni NODA et al.)	Group Art Unit: 1633
)	
Application No.: 10/500,911)	Examiner: Quang NGUYEN
)	
371 (c) Date: July 8, 2004)	
)	Confirmation No.: 7125
I.A. Filing Date: January 9, 2003)	
)	
For: SCREENING METHOD)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a Restriction Requirement mailed January 29, 2009, the Examiner required election of a single species under 35 U.S.C. § 121 by electing “a compound that decreases the level of at least one gene product recited in the Markush group of independent claim 1.” Office Action at page 3. Specifically, the Examiner required election of a single compound from “urinary albumin excretion, TGF-1, ICAM-1, tissue factor, PDGF-B, fibronectin and I(I) collagen.” *Id.* In response, Applicants elect the species “tissue factor,” without traverse. At least claims 1 and 6 encompass the elected species.

Upon allowance of a generic claim, Applicants respectfully request consideration of claims to additional species that depend from or otherwise require all the limitations of an allowable generic claim as provided under 37 CFR 1.141.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Jean Burke Jordis
Jean Burke Jordis

Dated: February 24, 2009

By: *Reg No. 32,904*
Yuko Soneoka
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